

REMARKS

In the Office Action dated March 3, 2006, the Examiner: (i) rejected claims 1-8 under 35 U.S.C. § 112 as being incomplete for omitting essential structural cooperative relationships of elements; (ii) rejected claims 16-21 under 35 U.S.C. § 101 as directed to non-statutory subject matter; (iii) rejected claims 1, 7-11, and 13-21 under 35 U.S.C. § 102(b) as anticipated by Munro et al, US 2002/0089549; (iv) rejected claims 5-6 under 35 U.S.C. 103(a) as unpatentable over Munro et al., US 2002/0089549 in view of Miller, et al. US 2005/0185055 A1; and (v) rejected claims 2-4 and 12 under 35 U.S.C. 103(a) as unpatentable over Munroe, et al, US 2002/00895490 A1, in view of Tucker et al 2004/00490598 A1.

Applicant has amended claims 1, 5, 9, 13, 16, and 18 in this Response. Claims 1-21 will be pending after entry of this amendment.

I. Rejections under § 112

The Examiner rejected claims 1-8 under 35 U.S.C. § 112 as incomplete for omitting essential structural cooperative relationships of elements. Although Applicant believes that the Examiner has mischaracterized the claimed inventions and the relationships between the structural elements, Applicant has amended claim 1 to move prosecution forward. Claim 1 now recites the broader language: "a plurality of images" and "the markup language tag comprising a code specifying which of the plurality of images should be displayed." Applicant has also made amended claim 5 to provide correct antecedent basis in view of this amendment.

II. Rejections under § 101

The Examiner rejected claims 16-21 under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter, specifically because "it does not appear that a signal encoded with functional descriptive material falls within any of the

categories of patentable subject matter." In response, Applicant has amended claim 16 to use the language suggested in MPEP § 2106 (8th edition, revision 4). Applicant has also made amended claim 18 to provide correct antecedent basis in view of this amendment.

III. Rejections under § 102(b)

The Examiner rejected claims 1, 7-11, and 13-21 under 35 U.S.C. § 102(b) as anticipated by Munro et al, US 2002/0089549 ("Munro"). The Munro publication describes a browser plug-in that displays multiple bitmap images. Significantly, however, in order to display those images, the plug-in has to individually retrieve each image from the server. *E.g.*, Munro, ¶ 0008 (distinguishing the prior art because "none of these applications allow for separate images, each image having an independent data file, to be concurrently displayed"); ¶ 0045 (explaining that "in this example, the multiple image viewer only had to download two data files . . ."); and ¶ 0050 (stating that "the compressed images are stored in a file structure")(emphasis added).

The present invention, in contrast, contains multiple, independent images *in a single file*. In this way, a browser implementing the present invention does not have to retrieve any additional files once the browser has downloaded the claimed multi-image file. The present invention also includes a mark-up language tag that allows the web page designer to specify, directly and via script, which picture from the file to display. Applicant has amended claims 1, 9, 13, and 16 to clarify these distinctions. *See Claim 1* ("receiving a multi-image file, the multi-image file comprising a plurality of images adapted for cooperative display"); *claim 9* ("a multi-image file, the multi-image file comprising a plurality of images including a primary image and at least one secondary image adapted for cooperative display"); *claim 13* ("receiving a multi-image file, the multi-image file comprising a plurality of images including a primary image and at least one secondary image"); and *claim 16* ("receiving a multi-image file, the multi-image file

comprising a plurality of images including a primary image and at least one secondary image”).

The Examiner cites paragraph 008 as teaching the claimed multi-image files. Applicant respectfully submits that the Examiner's interpretation of this paragraph is incorrect; the cited section of Munro describes a single image file that is rendered as a mosaic of multiple pictures, and not a single file containing multiple, independent images.

IV. Rejections under § 103(a)

The Examiner rejected claims 5-6 under 35 U.S.C. 103(a) as being unpatentable over Munro et al., US 2002/0089549 in view of Miller, et al. US 2005/0185055 A1; and rejected claims 2-4 and 12 under 35 U.S.C. 103(a) as being unpatentable over Munroe, et al, US 2002/00895490 A1, in view of Tucker et al 2004/00490598 A1.

A combination of references can only obviate a claimed invention if the combination teaches each and every claim element. *MPEP 2143*. As discussed in Section III, Munro fails to teach the claimed multi-image files. Miller also fails to teach this element. Instead, Miller is directed at a method of customizing a digital camera to accommodate user preferences, such as color background, icons and names. However, Miller does not describe how the resulting images will be stored and transmitted, other than brief references to the PCMCIA, compact flash, memory stick, and JPEG standards.

Tucker similarly fails to teach the claimed multi-image files. Instead, Tucker directed at a content delivery system that utilizes editing, caching and compressing to speed the delivery of content from a network, such as the Internet, while conserving bandwidth usage. Although Tucker discusses transcoding files, it does not teach or suggest transcoding into files containing a plurality of independent images.

RESPONSE
TO OFFICE ACTION

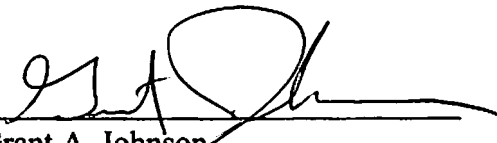
V. Fees

Applicants do not believe that any fees are associated with this Response .
However, the Patent Office is authorized to charge any fees, or credit any overpayments,
to deposit account 09-0465.

VI. Conclusion

Applicant believes that the present application is in condition for allowance and
requests that the Office issue a Notice of Allowance. If the Examiner, upon considering
this amendment, thinks that a telephone interview would be helpful in expediting
allowance of the present application, he/she is respectfully urged to call the Applicant's
attorney at the number listed below.

Respectfully submitted,

By: 
Grant A. Johnson

Registration No.: 42,696

Telephone: (507) 253-4660

Fax No.: (507) 253-2382